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October 10, 2017

Via ECF
Honorable Roslynn R. Mauskopf
United States District Judge
Eastern District of New York
225 Cadman Plaza
Brooklyn, NY 11201

**Re: Juanita Murray v. NYCBOE et al.,
15 CV 3191 (RRM)(ST)**

Dear Judge Mauskopf:

I am attorney for Plaintiff in the above-referenced action. Please find proposed a second amended complaint in the above-referenced action. As demonstrated by the attached email correspondence, Defendants' counsel had initially consented to the filing of a second amended complaint, but I found it necessary to delay filing it and rather revise it further after clarifying certain facts with Plaintiff, who was previously proceeding *pro se*.

This morning I sent Defendants' counsel the revised second amended complaint asking for Defendants' consent to file it, but Your Honor's order today makes it unclear to me if the Court would like Plaintiff to respond to Defendants' last letter for a pre-motion conference, or await Defendants' counsel's response as to whether he intends to move to dismiss on the second amended complaint. It appears from my review of Defendants' counsel's initial promotion conference letter (docket entry #24) that at least several of the bases for Defendants' proposed motion to dismiss are now mooted out by this second amended complaint.

I apologize for my delay in finalizing the second amended complaint. Thank you for your clarification of how the Court would like the parties to proceed procedurally in this matter.

Respectfully submitted,

By: s/ _____
Bryan D. Glass, Esq.

Enclosures (second amended complaint and email correspondence)
c: Justin Reiter, Asst. Corporation Counsel, Attorney for Defendants



Bryan Glass <bglass@ghnylaw.com>

RE: Juanita Murray v. NYCDOE federal case

Reiter, Justin (Law) <jreiter@law.nyc.gov>
To: Bryan Glass <bglass@ghnylaw.com>

Tue, Oct 10, 2017 at 6:07 PM

Hi Bryan,

In light of Judge Mauskopf's order today, we will discuss any potential briefing schedule once she advises us as to whether a pre-motion conference is required. Please feel free to give me a call with any questions.

Thanks.

Justin Reiter
Assistant Corporation Counsel
New York City Law Department | Labor and Employment Law Division
100 Church Street | New York, NY 10007
jreiter@law.nyc.gov | 212-356-3580

From: Bryan Glass [mailto:bglass@ghnylaw.com]
Sent: Tuesday, October 10, 2017 8:19 AM
To: Reiter, Justin (Law)
Subject: Re: Juanita Murray v. NYCDOE federal case

Justin

Please find attached the second amended complaint as per previous email. Let me know if Defendants consent to filing and how much time you would ask for to respond.

Thanks,

On Wed, Oct 4, 2017 at 7:17 PM, Reiter, Justin (Law) <jreiter@law.nyc.gov> wrote:

Hi Bryan,

Thank you for letting me know. Once I see the newly amended complaint, I will let you know if I consent to the amended complaint.

Justin Reiter

Assistant Corporation Counsel

New York City Law Department | Labor and Employment Law Division

100 Church Street | New York, NY 10007

jreiter@law.nyc.gov | 212-356-3580

From: Bryan Glass [mailto:bglass@ghnylaw.com]

Sent: Wednesday, October 04, 2017 11:44 AM

To: Reiter, Justin (Law)

Subject: Re: Juanita Murray v. NYCDOE federal case

I just wanted to give you a headsup that I need to make some additional factual clarifications to the second amended complaint and add back in the individual defendants on the 1981 claim before filing. I will send to you a revised second amended complaint in next day or so, and ask again if you consent and how much time you need to respond.

Thank you,

On Thu, Sep 28, 2017 at 9:39 AM, Reiter, Justin (Law) <jreiter@law.nyc.gov> wrote:

Hi Bryan,

I consent to the filing of the second amended complaint. I request that I have until November 10, 2017 to respond to the complaint. Please confirm. Thank you.

Justin Reiter

Assistant Corporation Counsel

New York City Law Department | Labor and Employment Law Division

100 Church Street | New York, NY 10007

jreiter@law.nyc.gov | 212-356-3580

From: Bryan Glass [mailto:bglass@ghnylaw.com]
Sent: Thursday, September 28, 2017 8:54 AM
To: Reiter, Justin (Law)
Subject: Re: Juanita Murray v. NYCDOE federal case

As a followup to our discussion, are you consenting to file the Murray second amended complaint?

Thank you,

On Fri, Sep 22, 2017 at 5:28 PM, Reiter, Justin (Law) <jreiter@law.nyc.gov> wrote:

Hi Bryan,

I've been out of the office for the Jewish holiday. I will give you a call on Monday. Thanks.

Justin Reiter
Assistant Corporation Counsel
New York City Law Department | Labor and Employment Law Division
100 Church Street | New York, NY 10007
jreiter@law.nyc.gov | 212-356-3580

From: Bryan Glass [mailto:bglass@ghnylaw.com]
Sent: Wednesday, September 20, 2017 11:58 PM
To: Reiter, Justin (Law)
Subject: Re: Juanita Murray v. NYCDOE federal case

Please let me know if Defendants will consent to filing of the attached second amended complaint.

Thank you,

On Thu, Aug 24, 2017 at 3:23 PM, Reiter, Justin (Law) <jreiter@law.nyc.gov> wrote:

Hi Bryan,

Without seeing the proposed amended complaint, I can't take a position on the amended complaint. Feel free to give me a call if you'd like. Thanks.

Justin Reiter

Assistant Corporation Counsel

New York City Law Department | Labor and Employment Law Division

100 Church Street | New York, NY 10007

jreiter@law.nyc.gov | 212-356-3580

From: Bryan Glass [mailto:bglass@ghnylaw.com]
Sent: Thursday, August 24, 2017 9:24 AM
To: Reiter, Justin (Law)
Subject: Re: Juanita Murray v. NYCDOE federal case

I haven't drafted amended complaint yet. Would be served by 9/20. Just let me know your position on it at this point so I can put it in letter to the judge.

Thanks,

Bryan D. Glass, Esq.

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On Aug 24, 2017, at 9:20 AM, Reiter, Justin (Law) <jreiter@law.nyc.gov> wrote:

Hi Bryan,

As far as consenting to the filing of an amended complaint, please send me a draft of the proposed amended complaint. If you'd like to discuss the case, I should be in my office all day today. Thanks.

Justin Reiter

Assistant Corporation Counsel

New York City Law Department | Labor and Employment Law Division

100 Church Street | New York, NY 10007

jreiter@law.nyc.gov | 212-356-3580

From: Bryan Glass [mailto:bglass@ghnylaw.com]

Sent: Friday, August 18, 2017 11:31 AM

To: Reiter, Justin (Law)

Subject: Juanita Murray v. NYCDOE federal case

Justin

As per my phone message and the attached below, I filed a notice of appearance in the case on behalf of Ms. Murray.

I am going to propose to the judge filing a second amended complaint by 9/18 in lieu of the pre-motion conference at this point. Would Defendants consent to that?

When you have time to discuss the case, please call me at 212 537 6859.